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EPA settles diesel emissions cases against three northwest companies

Spokane Valley, Hayden, Idaho companies illegally made, sold devices to bypass emissions controls

Seattle -- Today, the U.S. Environmental Protection Agency announced it has reached settlements with three Inland Northwest sellers and manufacturers of aftermarket automotive parts specializing in heavy duty diesel pickup trucks -- Diesel Power Products, Alligator Diesel Performance, and Deviant Race Parts -- to resolve alleged violations of the Clean Air Act associated with the manufacture and sale of aftermarket products that defeat the emissions control systems of heavy-duty diesel engines.

Heavy-duty diesel pickup engines emit large amounts of nitrogen oxides and particulate matter, both of which contribute to serious public health problems in the United States. These problems include premature mortality, aggravation of respiratory and cardiovascular disease, aggravation of existing asthma, acute respiratory symptoms, chronic bronchitis, and decreased lung function. Numerous studies also link diesel exhaust to increased incidence of lung cancer.

Conservative EPA estimates indicate that the installation of the defeat devices from a single year of product sales by these three companies resulted in an estimated 49 million pounds more air pollution than would have otherwise been emitted. The parts and components manufactured and sold by the companies were designed and marketed for use on makes and models of heavy-duty diesel trucks and engines manufactured by entities such as Cummins Inc., FCA US LLC, General Motors Company, and Ford Motor Company.

As part of the settlement, the companies have agreed to stop the manufacture and sale of all products the government alleges violate the CAA. The companies also paid civil penalties totaling \$180,800. The penalty for each company is reduced due to the company's limited financial ability to pay a higher penalty and stay in business.

"These companies manufactured and sold tens of thousands of aftermarket defeat devices, and as a result, tens of thousands of heavy-duty trucks now operate without the filters, catalysts and other emissions controls that help keep our air clean," **said Chris Hladick, Regional Administrator for EPA's Region 10 office in Seattle.** "These settlements will prevent future

violations by requiring the companies to ensure that their products do not adversely affect emissions.”

“The EPA will not tolerate these violations of law intended to protect people’s health,” **said Ed Kowalski, Director of EPA Region 10’s Enforcement and Compliance Assistance Division.** “We will continue to prosecute those responsible for manufacturing, selling and installing these illegal products.”

Vehicle and engine manufacturers employ certain hardware devices -- such as exhaust gas recirculation, diesel particulate filters, and selective catalytic reduction -- as emission control systems to manage and treat exhaust to reduce levels of particulate matter, non-methane hydrocarbons, oxides of nitrogen, and carbon monoxide released into the air and thus to meet emission standards intended to protect public health. These hardware systems are operated and monitored by software systems.

Under the Clean Air Act it is unlawful *“for any person to manufacture or sell, or offer to sell, or install, any part or component intended for use with, or as part of, any motor vehicle or motor vehicle engine, where a principal effect of the part or component is to bypass, defeat, or render inoperative any device or element of design installed on or in a motor vehicle or motor vehicle engine in compliance with regulations”... “and where the person knows or should know that such part or component is being offered for sale or installed for such use or put to such use.”*

Power Products Unlimited, Inc., d.b.a. Diesel Power Products -- Spokane Valley, Washington
The EPA alleges that from January 1, 2017, through December 31, 2017, DPP sold at least 5,663 aftermarket products that defeat the emissions control systems of heavy-duty diesel engines in violation of the CAA. EPA conservatively estimates that a year’s worth DPP’s sales of exhaust after-treatment removal pipes alone will result in more than eight million pounds of excess air pollution over the anticipated, remaining life of the engines/vehicles. DPP has paid a civil penalty of \$50,800. To read the Consent Agreement and Final Order go to: [Diesel Power Products](#)

Alligator Diesel Performance, LLC -- Hayden, Idaho

The EPA alleges that from January 1, 2016, through May 17, 2018, Alligator sold at least 31,543 aftermarket products that defeat the emissions control systems of heavy-duty diesel engines in violation of the CAA. EPA conservatively estimates that a year’s worth of Alligator’s sales of products that allowed the customer to reprogram the on-board diagnostic systems in such a way that it allowed for the removal of factory-installed emission control systems will result in more than 11 million pounds of excess air pollution over the anticipated remaining life of the engines/vehicles. Alligator paid a civil penalty of \$90,000. To read the Consent Agreement and Final Order go to: [Alligator](#)

Diesel Race Parts, LLC, d.b.a. Deviant Race Parts -- Hayden, Idaho

The EPA alleges that from January 1, 2016, through May 17, 2018 Deviant manufactured and sold at least 34,915 aftermarket products that defeat the emissions control systems of heavy-

duty diesel engines in violation of the CAA. EPA conservatively estimates that a year's worth of Deviant's sales of the products that allowed customers to remove the factory-installed exhaust gas recirculation systems will result in more than 30 million pounds of excess air pollution over the anticipated, remaining life of the engines/vehicles. Deviant has paid a civil penalty of \$40,000. Deviant and Alligator, though two separate companies, are owned by the same individuals and operated at the same location. To read the Consent Agreement and Final Order go to: [Deviant](#)

These three actions are an important part of EPA's National Compliance Initiative: "Stopping Aftermarket Defeat Devices for Vehicles and Engines." To read about EPA's National Compliance Initiative go to: <https://www.epa.gov/enforcement/national-compliance-initiative-stopping-aftermarket-defeat-devices-vehicles-and-engines>.

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